Application No. 10/527,747 Office action dated May 1, 2009 Response dated July 9, 2009

REMARKS

Claims 13-32 are pending and stand rejected. Claims 13, 18, 23 and 28 are amended. Support for the new claims can be found, *inter alia*, in the previously presented claims. No new matter has been introduced.

Applicant has reviewed the Office action and submits that the following remarks are fully responsive to the Office action. In view of the fact that no references have been cited. Applicant further submits that all pending claims are patentable.

Amendments to the Specification

Applicant has amended the specification to include, as the first sentence following the title, a reference to prior application nos. PCT/AU03/01246 and AU2002951632. Applicant respectfully submits that no petition for an unintentionally delayed benefit claim is required for entry of this amendment.

References to the prior applications were included in the declaration filed on 14 March 2005. Applicant has reviewed the Image File Wrapper ("IFW") for the instant application, and it appears that no Official Filing Receipt was issued. The IFW does, however, contain an Office-generated Bibliographic Data Sheet, entered 14 March 2005, that acknowledges the benefit claim. Accordingly, Applicant respectfully requests entry of the amendment to the specification and recognition of the benefit claim without petition.

Objections to the Drawings

The Examiner objects to the drawings "because the boxes in fig. 1-5 need to be labeled." Office action, ¶ 3. Applicant submits that the Replacement Sheets submitted herewith overcome this objection.

Objection to the Claims

The Examiner objects to claim 13 for containing typographical errors. Applicant has amended claim 13 to correct the typographical errors.

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Rejection Under 35 U.S.C. § 112

The Examiner rejects claims 13-32 under 35 U.S.C. § 112, second paragraph as indefinite for failure to particularly point out and distinctly claim the invention. Applicant submits that the amendments to claims 13, 18, 23, and 28 overcome this rejection.

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CONCLUSION

In view of the foregoing remarks, Applicant respectfully submits that the application is in condition for allowance, and requests that all rejections be withdrawn, that all pending claims be allowed, and that the application be passed to issue. If, for any reason, the Examiner finds the application to be in other than condition for allowance, the Examiner is invited to contact the undersigned in an effort to resolve any matter still outstanding before issuing another action.

No extension of time is believed necessary for this paper to be considered timely. Should an extension of time be deemed necessary, Applicant hereby petitions therefor under 37 C.F.R. § 1.136.

Authorization is hereby granted to charge any fees due with the filing of this document, including any fees for the addition of claims herein and any extensions of time deemed necessary, to Deposit Account No. 50-1129 with reference to Attorney Docket No. 83061-0005.

Respectfully submitted.

WILEY REIN LLP

Date: July 9, 2009

By: /Scott A. Felder #47558/

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